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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

CAROLINA BERNAL STRIFLING,
 WILLOW WREN TURKAL, and SYDNEY
 FREDERICK-OSBORN, on behalf of
 themselves and all others similarly situated,

Plaintiffs,

v.

TWITTER, INC. and X CORP.,

Defendants.

Case No. 4:22-cv-07739-JST

**STIPULATION AND [PROPOSED]
 ORDER SETTING SCHEDULE FOR
 MOTION TO STRIKE FIRST
 AMENDED COMPLAINT,
 EXTENDING DEADLINE TO
 RESPOND TO FIRST AMENDED
 COMPLAINT, AND WITHDRAWING
 ADMINISTRATIVE MOTION**

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CAROLINA BERNAL STRIFLING,
7 WILLOW WREN TURKAL, and
SYDNEY FREDERICK-OSBORN,
8 on behalf of themselves and all others similarly situated

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1 Plaintiffs Carolina Bernal Strifling, Willow Wren Turkal, and Sydney Frederick-Osborn
2 (“Plaintiffs”) and Defendants Twitter, Inc. and X Corp. (“Defendants”) (collectively, the
3 “Parties”), by and through their undersigned counsel, hereby stipulate as follows:

4 WHEREAS, on December 7, 2022, Plaintiffs Strifling and Turkal filed an original
5 Complaint alleging class claims for sex discrimination under Title VII and FEHA (ECF No. 1);

6 WHEREAS, on January 26, 2023, Defendant Twitter filed a Motion to Dismiss the
7 Complaint (ECF No. 20);

8 WHEREAS, on May 8, 2023, the Court granted Twitter’s Motion to Dismiss the
9 Complaint with leave to amend (ECF No. 38);

10 WHEREAS, on May 26, 2023, Plaintiffs filed their First Amended Complaint (“FAC”),
11 adding a new named Plaintiff Sydney Frederick-Osborn and new class and collective claims for
12 age discrimination under the Age Discrimination in Employment Act (“ADEA”) and the
13 California Fair Employment and Housing Act (“FEHA”) (ECF No. 41);

14 WHEREAS, on May 30, 2023, Defendant Twitter filed an Administrative Motion to Set
15 Telephonic Case Management Conference Re Case Schedule in Light of Plaintiff’s Violation of
16 This Court’s May 8, 2023 Order because Twitter contends the FAC violates the Court’s Order
17 dismissing the original complaint, which states, “Plaintiffs may file an amended complaint within
18 twenty-one days of this order solely to cure the deficiencies identified by this Order.” (ECF No.
19 38 (Order at 16);

20 WHEREAS, Plaintiff believes the FAC does not violate the Court’s order and that in any
21 event the FAC should not be stricken;

22 WHEREAS, the Parties now agree that the Court should rule on Twitter’s forthcoming
23 motion to strike the addition of a new plaintiff and the ADEA and FEHA age discrimination
24 claims before Twitter is required to file its Motion to Dismiss the FAC (or a further amended
25 complaint);

26 WHEREAS, the Parties agree that Twitter’s motion to strike shall be filed by June 16,
27 2023;

WHEREAS, the Parties further agree that Twitter's deadline to file its Motion to Dismiss (or otherwise respond to the operative complaint) shall be twenty-one (21) days after the Court rules on Twitter's forthcoming motion to strike, if the Court denies the motion to strike, or twenty-one (21) days from the filing of a further amended complaint, if the Court grants the motion to strike; and

WHEREAS, in light of this agreement, Twitter is withdrawing without prejudice its Administrative Motion to Set Telephonic Case Management Conference (ECF No. 38).

NOW, THEREFORE, the Parties stipulate as follows:

1. Twitter's deadline to file a motion to strike is June 16, 2023;
2. Twitter's deadline to respond to the FAC will be twenty-one (21) days after the Court rules on Twitter's forthcoming motion to strike, if the Court denies the motion to strike, or twenty-one (21) days from the filing of a further amended complaint, if the Court grants the motion to strike;
3. Twitter's Administrative Motion to Set Telephonic Case Management Conference (ECF No. 38) is withdrawn without prejudice.

IT IS SO STIPULATED.

Dated: May 31, 2023

MORGAN, LEWIS & BOCKIUS LLP

By /s/ Brian D. Berry

Eric Meckley
Brian D. Berry
Jonathan D. Lotsoff
Ashlee N. Cherry
Joseph A. Govea
Kassia Stephenson

Attorneys for Defendants
TWITTER, INC. and X CORP.

1 Dated: May 31, 2023

LICHTEN & LISS-RIORDAN, P.C.

2
3 By /s/ Shannon Liss-Riordan

4 Shannon Liss-Riordan
Thomas Fowler

5 Attorneys for Plaintiffs
6 CAROLINA BERNAL STRIFLING,
7 WILLOW WREN TURKAL, and
8 SYDNEY FREDERICK-OSBORN, on
9 behalf of themselves and all others
10 similarly situated

11 **FILER'S ATTESTATION**

12 Pursuant to Local Rule 5-1(h)(3) regarding signatures, I attest that all other signatories
13 listed, and on whose behalf this filing is submitted, concur in the document's content, and have
14 authorized the filing.

15 Dated: May 31, 2023

MORGAN, LEWIS & BOCKIUS LLP

16
17
18 By /s/ Brian D. Berry

19 Eric Meckley
20 Brian D. Berry
21 Jonathan D. Lotsoff
22 Ashlee N. Cherry
23 Joseph A. Govea
24 Kassia Stephenson
25 Attorneys for Defendants
26 TWITTER, INC. and X CORP.

[PROPOSED] ORDER

Having considered the Parties' Stipulation Re Motion to Strike, to Extend Deadline to Respond to First Amended Complaint, and to Vacate Administrative Motion, and good cause appearing, it is hereby ORDERED that:

Defendants' motion to strike the First Amended Complaint shall be submitted on or before June 16, 2023.

Defendants' deadline to respond to Plaintiffs' First Amended Complaint shall be 21 days after this Court rules on Defendants' forthcoming motion to strike, if the Court denies the motion to strike, or twenty-one (21) days from the filing of a further amended complaint, if the Court grants the motion to strike.

Defendants' Administrative Motion to Set Telephonic Case Management Conference Re Case Schedule in Light of Plaintiff's Violation of This Court's May 8, 2023 Order (ECF No. 38) is vacated without prejudice.

IT IS SO ORDERED.

Dated: _____

HON. JON S. TIGAR
UNITED STATES DISTRICT JUDGE

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